

## GERMAN AMBASSADOR DEFENDS SINKING OF FRYE; THAW IS ACQUITTED

DEATH TAKES  
COUNT WITTE,  
BIG RUSSIAN

First Prime Minister of  
Empire Passes After  
Week's Illness

## ONE OF PEACE JURORS

Gains Much for His Country in  
Negotiations With Japan  
at Portsmouth, N. H.

London, March 12.—A dispatch from  
Petrograd says Count Sergius Witte,  
Russia's first prime minister, one of  
the plenipotentiaries at the Port-  
smouth, N. H., negotiations for peace  
with Japan, died last night, aged 66.  
Witte was taken ill a week ago.

Witte was regarded in some re-  
spects as one of the most remarkable  
men his country had produced, but  
his reputation was even greater  
abroad than at home. Throughout  
his career, during which he accom-  
plished much for Russia, he had many  
and powerful enemies, although his  
great capacity for work was never  
questioned. Regardless of his work  
as a statesman his chief fame in Rus-  
sia rests upon the development of  
railroads and placing of the mon-  
etary system upon a gold basis. At  
the Portsmouth conference he gained  
terms under which Russia was not  
obliged to pay cash indemnity to Ja-  
pan. This was considered a remark-  
able achievement. The emperor re-  
warded him for his services by ap-  
pointing him a count.

Supporter of Jews.  
Witte was regarded as a supporter  
of the Jews. His second wife was  
a Jewess. The cause of Witte's death  
was influenza.

BRITISH CRUISER  
SUNK BY TORPEDO

BUT EIGHT OFFICERS AND 18  
MEN OF CREW ARE ACCOUNT-  
ED FOR.

London, March 12.—The admiralty  
announces the loss of the auxiliary  
cruiser Bayano while the vessel was  
engaged in patrol duty.

In its statement of the disaster, the  
admiralty says:  
"On the 11th of March, wreckage of  
the Bayano and bodies were discover-  
ed and circumstances point to her  
having been sunk by an enemy tor-  
pedo."

"Eight officers and 18 men were  
rescued, but it is feared that the re-  
mainder of the crew were lost."  
The captain of the Belfast steam-  
er Caspian reports passing Thurs-  
day morning a quantity of wreckage  
and dead bodies floating in life belts.  
He attempted to search for possible  
survivors, but was prevented by the  
presence of an enemy submarine,  
which gave chase for 20 minutes.

The Bayano was a comparatively new  
steamer. She was built at Glasgow  
in 1913 and was owned by Elder and  
Fryles before she was taken over by  
the British government and fitted out  
as an auxiliary cruiser.

The Bayano was of 3,500 tons dis-  
placement and 416 feet long.  
The Belfast correspondent of the  
Daily Telegraph says the Bayano was  
torpedoed Thursday morning at 9  
o'clock off Cornwall Point, Wight-  
shire, Scotland, and that nearly 200  
lives were lost, as the cruiser sank al-  
most immediately. The vessel had a  
crew of about 216 men on board.  
Wightshire is in the southwestern  
most county in Scotland. It lies on  
the north channel which leads into  
the Irish sea from the Atlantic.

The survivors of the Bayano were  
rescued by the Belfast steamer Bal-  
merine. They were aboard on a raft.  
Another steamer picked up one of the  
Bayano's life boats which was adrift  
and also two of her rafts. The sur-  
vivors landed at Ayr.

Magpie Park, Ill.—A double funeral  
was held here when Lars C. Peterson,  
aged 78 years, and his wife, Mrs. Mar-  
ion Peterson, aged 79 years, were  
buried in the same grave in the Gar-  
den cemetery. Mr. and Mrs. Pet-  
erson had they lived would have cele-  
brated their 50th wedding anniver-  
sary the 28th of April. Mrs. Pet-  
erson died Sunday night and Mr. Pet-  
erson passed away Tuesday, both being  
sick only for a few days with pneu-  
monia.

KAISER MUST  
SETTLE WITH  
SHIP OWNERS

Washington, D. C., March 12.—The  
full story of how the American sailing  
ship William F. Frye was sunk with  
her cargo by the Eltel was officially  
laid before the state department today  
by the Frye's commander, Captain  
Klehn. Upon Klehn's statement the  
United States will decide its course,  
which probably will be a demand for  
an expression of regret from Germany  
and payment for the loss of the ship  
and cargo. The German ambassador,  
discussing with the state department  
officials today the sinking of the Frye,  
defended the action of Captain Thier-  
schens of the Eltel, contending he acted  
under the declaration of London,  
which was the only guide he had as to  
the disposition of prizes.

The German ambassador did not pre-  
sent any note and said he had no in-  
structions from his government. He  
called to discuss the question informally  
and to learn the view of the  
United States. The ambassador con-  
tended that when Captain Thier-  
schens left Tientsin last August he had  
nothing to follow but the declaration of  
London in deciding what to do with  
vessels he might seize. For that reason  
he had a right to sink the Frye, as  
its cargo of wheat was considered "no  
order" and destined to a fortified port  
of the enemy. So long as there was  
no port into which he could take the  
prize, he had the right, Bernstein  
contended, to destroy not only the  
cargo but the vessel itself.

Administration officials contend the  
German captain had no right to act  
under the declaration of London in  
any event, for when the war broke  
out it had not been generally ratified,  
therefore it was not in force. It is  
expected the case will be decided un-  
der international law as existing be-  
fore the declaration of London was  
made. Officials are confident restitu-  
tion will be made for loss of the ship,  
but are not so sure as to the cargo,  
because its status in the prize court  
will be complicated.

Officials after listening to the state-  
ment of Captain Klehn took the view  
the American case was a strong one,  
and that when all the facts were pre-  
sented to Germany, restitution would  
be made.

Newport News, Va., March 12.—The  
question whether the Eltel will inter-  
vene or renew her historic raid is an  
absorbing topic of discussion here. Al-  
though Thierichens declared it was  
his intention to renew his cruise as  
soon as possible, Captain Klehn of  
the Frye, after bidding good-bye to the  
German commander, made the posi-  
tive statement that the Eltel would  
not leave until the war ended. Five  
warships are within varying distances  
of the coast, according to the crew of  
a British steamer arriving here.

NON-UNION LATHER SHOT  
BY A CHICAGO STRANGER

Chicago, Ill., March 12.—The first  
violence broke in the lathers' strike  
today when David Johnson, a non-  
union lather, was shot in the thigh by  
a man he never had seen before and  
who ordered Johnson to quit his job. He  
received no reply and a shot followed.  
That the carpenters' unions of Chicago  
had rejected a uniform agreement  
offered by the Construction Employers'  
association and the Building  
Trades council was indicated by re-  
ports of an adverse vote on the propo-  
sal by various locals.

ILLINOIS NOW FREED OF  
FOOT AND MOUTH MENACE

Springfield, Ill., March 12.—State  
Veterinarian Dyson announced today  
Illinois was free from the foot and  
mouth disease.

## Liquor Test in Vermont.

Montpelier, Vt., March 12.—Gov-  
ernor Gates yesterday signed the pro-  
hibition referendum bill. As a result  
the voters will decide at the municipal  
election in March, 1916, whether to  
substitute state-wide prohibition for  
local option.

ROADS FORCED TO  
CUT FOR PACKERS

CHARGES OF UNFAIR ADVANTAGE  
MADE AT COMMERCE COM-  
MISSION HEARING.

Chicago, Ill., March 12.—Assertions  
that six large packing houses had com-  
bined to obtain from the railroads  
special advantages in shipping from  
meats and that the patronage of the  
packers was shifted from road to road  
until advantages were granted and in  
consequence the roads were required  
to carry packing house products at in-  
adequate rates, were made at the  
commerce commission's hearing of 41  
western railroads' petition for higher  
rates today.

THAW IS HELD  
NOT GUILTY IN  
ESCAPE CASE

With Four Co-Defendants  
He Is Acquitted of  
Charge by Jury

## ALL NIGHT ON VERDICT

Motion Is Made to Permit Pris-  
oner to Return to New  
Hampshire Free.

New York, March 12.—Harry Thaw  
was acquitted today of conspiracy in  
escaping from Matteawan, a charge  
upon which he was brought back from  
New Hampshire. Four men who as-  
sisted him likewise were acquitted.  
The jury labored all night until 12:20  
this afternoon. The defense made a  
formal motion that Thaw be returned  
to New Hampshire as a sane man.  
Judge Page will hear arguments on  
this motion March 15. Thaw was re-  
mandered to the Tombs.

In his closing address to the jury  
John R. Stanchfield, Thaw's chief  
counsel, urged the jury to determine  
whether they believe Thaw had re-  
covered his sanity, and if they did to  
say so in their verdict.

Mr. Stanchfield sketched the case of  
the defense, and laid particular em-  
phasis to the claim that Thaw planned  
his own escape from the state hospi-  
tal for the criminal insane at Matte-  
awan, because he believed that he was  
sane and that to remain in the hospi-  
tal would cause him to lose his mind.  
Mr. Stanchfield assailed Franklin  
Kennedy, special deputy attorney gen-  
eral in charge of the prosecution, charging  
that his sole occupation for  
five years had been the case of Thaw.  
He continued:

"Some private vengeance is respon-  
sible for the state of New York spend-  
ing thousands upon thousands of dol-  
lars—probably \$50,000—to try Thaw  
upon a puny little charge like this."

Persecution Is Denied.  
Frank K. Cook, deputy attorney gen-  
eral, began his closing address for the  
state by saying that neither he  
nor Mr. Kennedy "were here to perse-  
cute or hound Harry K. Thaw."

"It is our contention," said Mr.  
Cook, "that Thaw was insane when he  
went to Matteawan and when he escap-  
ed, and we believe him insane now."  
"There are forty insane prisoners in  
Matteawan who have committed horri-  
cides. Are we to allow them to walk  
out? They probably would if they had  
\$7,000 and Butler was around outside."

## Page Charges Jury.

When Mr. Cook concluded his ad-  
dress to the jury Justice Page began  
his charge.

He said that it was not necessary  
for the people of the state of New  
York to prove that the parties to an  
alleged conspiracy had come together  
in order to prove the conspiracy.

"If they act in concert," said Justice  
Page, "that is sufficient to establish  
their participation."

"Under the commitment originally  
signed by Justice Dowling Thaw could  
have been taken back to Matteawan  
had he been apprehended anywhere  
within the boundaries of the state.  
The participants in a conspiracy  
should be considered guilty if they  
aided the defendant Thaw out of the  
state in an illegal manner."

"The question of sanity is an issue  
in this case only in so far as Thaw  
may have been shown to have the  
capacity to intend to do the acts charged  
against him."

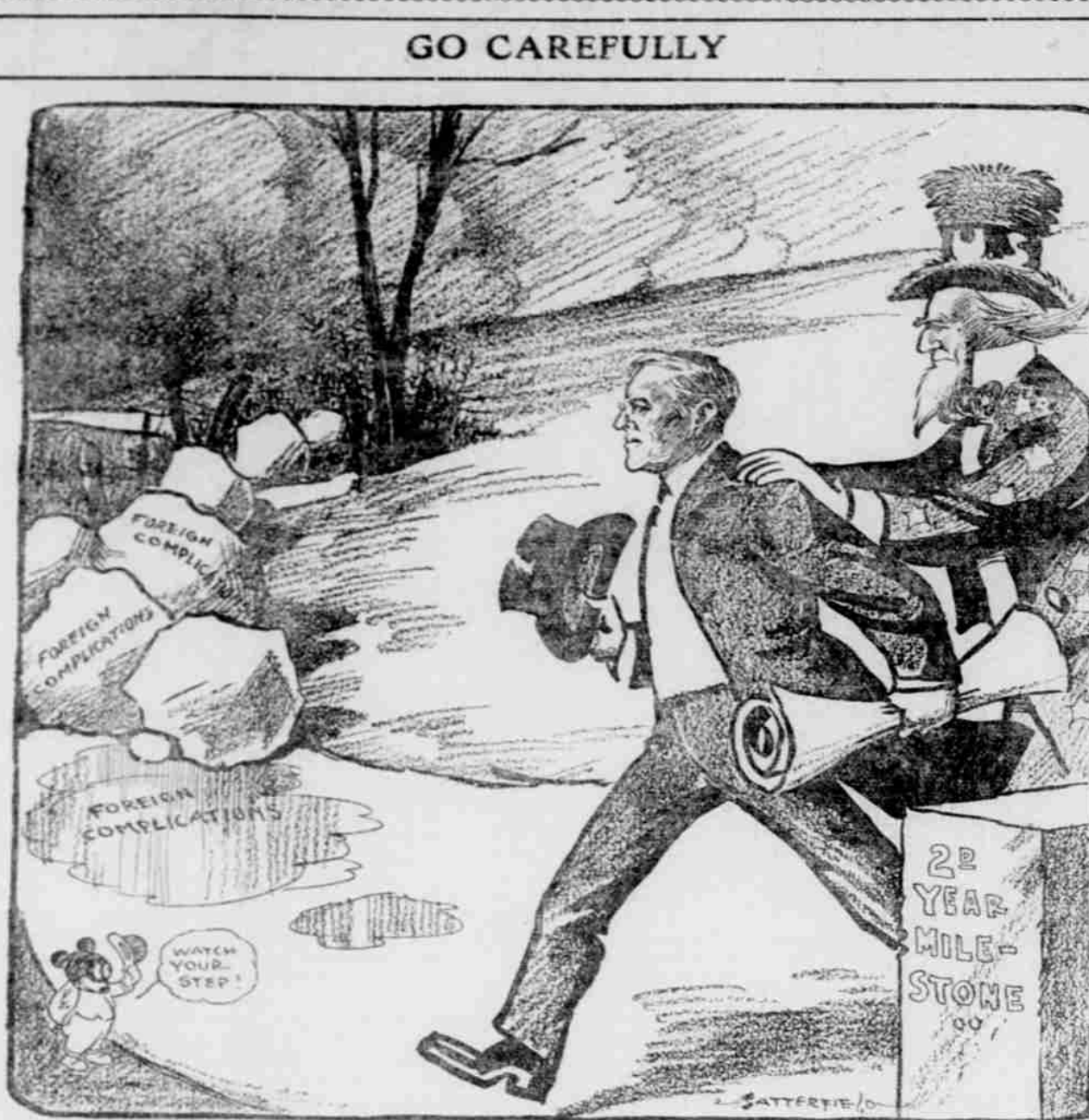
## Darnell Forms Choir.

Milwaukee, Wis., March 12.—Voices  
of prisoners in the county jail are to  
be cultivated by Rev. James Morrison  
Darnell, who is awaiting trial on the  
charge of having taken Ruth Soper  
from Kenosha to Chicago, contrary to  
the white slave law.

The Rev. Mr. Darnell took up his  
vocal endeavors on Friday by organ-  
izing a quartet among the members of  
the Kangaroo court. He will sing  
second tenor. Other members are Ed-  
ward Beck, charged with embezzle-  
ment; first tenor; Frank Hazel, a gov-  
ernment prisoner, first bass; and Gil-  
bert St. John, accused of pandering,  
second bass.

## Death Takes Circus Man.

New York, March 12.—The death of  
William Washington Cole, old-time  
circus man, in this city on Wednesday  
night, became known yesterday. Mr.  
Cole was in his 69th year. W. W.  
Cole's circus was one of the first big  
one-ring railroad shows put on the  
road. He was a rival of P. T. Barnum.  
Adam Forepaugh and the Sells Brothers.  
His circus was absorbed by the  
Barnum and Bailey organization.

MEXICO CITY  
QUIET UNDER  
ZAPATA RULE

Washington, D. C., March 12.—Mex-  
ico City was reported quiet today and  
officials here expected all conditions  
to improve with the occupation of the  
capital by the Zapata forces. Sec-  
retary Bryan said: "I think we are in  
pretty good shape. Carranza has prom-  
ised to permit people leaving the cap-  
ital to travel over the portion of the  
railroad he controls, while Zapata, the  
general in command there, has under-  
taken to admit food supplies."

Officials today awaited the result of  
a detailed inquiry into the shooting of  
John B. McManis by Zapata troops and  
a response from Zapata authori-  
ties to the American demand for in-  
demnities to the American's family.

ORDERS RETRIAL  
NATIONAL CASES

FEDERAL COURT APPEALS RE-  
VERSES LOWER TRIBUNAL  
IN OHIO DISTRICT.

Cincinnati, O., March 12.—The fed-  
eral court of appeals today reversed  
the lower court in the case of the  
government against President Pat-  
terson and 26 other officials and former  
officials of the National Cash Regis-  
ter company of Dayton and remanded  
it back to the district court for a new  
trial. All had been sentenced to  
prison terms and fines for violating  
the Sherman law.

POINTS TO BURKE  
AS GIRLS' SLAYER

JOLIET CHIEF DISCOVERS MAN  
WHO TELLS OF STOLEN  
AURORA WATCH.

Chicago, Ill., March 12.—Chief of  
Police Martin Murphy of Joliet went  
to Aurora yesterday and told Chief  
Frank Michels he was sure he had ob-  
tained information which would solve  
the slaying of both Jennie Miller and  
Emma Peterson. He asserted he was  
positive Clarence Burke, the dope  
fiend suspect, had worked in Joliet and  
that the Stillson wrench with which  
Jennie Miller was slain had been  
stolen from Burke's Joliet employer.

Chief Michels took the wrench and  
a photograph of Burke and accompan-  
ied Martin to Joliet. They went to  
see Robert Meers, president of the  
Robert Meers Hardware company.  
Meers insisted Burke had worked for  
him for two weeks a little over a year  
ago and had been discharged for in-  
competency. After he left, Meers  
said, an employee told of missing a  
Stillson wrench. The merchant de-

## GO CAREFULLY

## THE WEATHER

Forecast Till 7 P. M. Tomorrow, for  
Rock Island, Davenport, Moline  
and Vicinity.

Partly cloudy tonight and Sunday,  
not much change in temperature with  
the lowest tonight near freezing.  
Temperature at 7 a. m. 31. Highest  
yesterday 48. Lowest last night 30.  
Velocity of wind at 7 a. m., one mile  
per hour.

Precipitation none.  
Relative humidity at 7 p. m. 78, at  
7 a. m. 89.

Stage of water 4.8, no change in last  
24 hours.

J. M. SHERIER, Local Forecaster.

## ASTRONOMICAL EVENTS.

Evening stars: Mars, Saturn. Morn-  
ing stars: Jupiter, Mercury, Venus.  
First magnitude star Procyon, constel-  
lation Canis Minor, passes the meri-  
dian midway the southern sky about  
8 p. m. Planet Mercury in conjunction  
with the moon about 1.30 p. m.

scribed Burke, even to a peculiar kind  
of curl of hair on his forehead. Mich-  
els insisted he had checked up on  
Burke's movements and was sure he  
had not been in Joliet for two years.

Meers gave such an accurate descrip-  
tion of the suspect, however, that Mich-  
els produced the picture. Meers iden-  
tified it. He said he had been shown  
a circular bearing a picture of the  
wrench by Chief Martin and that the  
tool was of the same kind and make  
he carried in stock and the same kind  
which a former employee had said was  
missing after Burke left. When Mich-  
els showed him the wrench, however,  
he was unable positively to identify it  
as the one taken. There is a peculiar  
file mark on the tool which Meers said  
he had not seen on the other wrench.

He asserted, however, he was sure  
the former employee, now residing in  
Detroit, would be able to state definite-  
ly whether or not the wrench in Mich-  
els' possession was the one he lost.

Burke was questioned and admitted  
he had worked in Joliet at the hard-  
ware store.

Another suspect was taken into cus-  
tody shortly before Michels left for  
Joliet and it was the chief's intention  
to confront him with witnesses last  
evening, but it was too late when he  
got back from Joliet. The prisoner is  
Roman Marden. He is 5 feet 10 inches  
tall, wears a small mustache, a black  
hat and a long gray overcoat.

He answers the description of the  
man seen lurking near the scene of  
the Peterson murder as given by one  
woman and also that given by Edward  
Smith, a clerk in the store of Podolsky  
& Cohen, as the man to whom he sold  
the pair of gloves dropped by the  
slayer in his flight.

Marden was taken into custody on  
information supplied by George Abank,  
who rooms at the same address, 355  
Root street. Abank told Chief Mich-  
els that Marden was absent from home  
all night on Feb. 25, the day of the  
murder, and that he did not return  
until early the next morning, when  
he seemed to be greatly agitated.  
Marden was taken into custody on a  
disorderly conduct charge a few days  
after the murder. He had served his  
sentence and was released yesterday.  
He was rearrested as he walked out  
of the city hall building.

JAPAN SENDS  
FRESH FORCE  
MEN TO CHINA

Peking, China, March 12.—The Chi-  
nese government has official infor-  
mation to the effect that a second  
Japanese squadron of approximately  
30,000 soldiers has sailed for China.  
Forwarding of these troops will in-  
crease the number of Japanese sol-  
diers in garrisons in China to nearly  
60,000.

It was announced in Tokio several  
days ago that new forces of troops  
would be dispatched to Japanese gar-  
risons in China. It was explained this  
was merely a shifting of troops and  
that troops now in China would be  
withdrawn on arrival of the new  
forces.

180 TONS FLOUR  
REACHES FRANCE

TRAIN, ALSO CARRYING BAVAR-  
IAN KING, GIVEN CON-  
TINUOUS OVATION.

London, March 12.—With an Ameri-  
can representative of the Belgian re-  
lief commission sitting on top of a  
freight car eating German sausages  
with German soldiers, eight cars con-  
taining 180 tons of flour for starving  
civilians in northern France were re-  
cently moved from Sedan to Charle-  
ville as the second section of a train  
in which the king of Bavaria was  
traveling. It received an ovation  
along the line and tremendous cheer-  
ing when its destination was reached.  
Announcement of the journey was  
made by the relief commission.

Champaign, Ill.—The Illinois Water  
Supply association changed its name to  
the Illinois section of the American  
Water Works association and elected  
these officers: Chairman, W. J. Spaulding;  
commissioner of public utilities  
at Springfield; vice chairman, Paul  
Hansen, engineer of the state water  
survey; treasurer, H. E. Keeler, Chi-  
cago; trustee, F. C. Amesberry, Cham-  
paign.

OIL TANK BLOWS  
UP; FOUR KILLED

SEVEN OTHERS INJURED IN EX-  
PLOSION IN BROOKLYN  
RAILROAD YARDS.

New York, March 12.—Explosion of  
a large oil tank adjoining the Long  
Island railroad freight yards in the  
east New York section of Brooklyn  
this afternoon killed four boys and  
seriously injured seven other persons.  
Four employees of the company which  
owned the tank are missing.

FALL OF TURK  
CAPITAL PUT  
NEAR EASTER

Allies Bringing Up Land  
Forces to Back At-  
tack by Fleet

## WEATHER INTERFERES

Believed Disease Has Played  
Havoc With Serbian Army  
—British Lose Airmen.

London, March 12.—At strategic  
points around the British Isles the  
admiralty has set miles of sub-  
marine traps to catch German  
underwater craft. It is reported  
three were caught during the first  
10 days of the blockade, but con-  
firmation is lacking. The traps  
are similar to gill nets. Malleable  
iron frames 10 feet square, with  
three frames joined, are sunk 30  
feet. The submarine is blind un-  
der water, steering by a chart and  
compass. Entering one of the  
frames, its sides are caught, caus-  
ing the lower frame to buckle up-  
ward, catching the propeller. Thus  
held, the craft is in the position of  
a fish floundering in a net, and its  
occupants are doomed.

London, March 12.—The Swed-  
ish steamer Anna struck a mine  
off Scarborough, England, this  
morning and foundered. Two of  
the crew were killed by an explo-  
sion. Eighteen were rescued.

London, March 12.—An announce-  
ment by the French ministry of ma-  
rine states the bombardment of the  
Dardanelles continued yesterday, but  
leaves in doubt the amount of damage  
inflicted.

It is said 70 mine sweepers are con-  
tinuing their efforts to clear mine  
fields. An Athens dispatch says British  
Vice Admiral Gardes expressed  
the opinion that the allies would be  
able to hammer their way through the  
straits before Easter.

Petrograd claims the German ad-  
vance on Przasnysz has been checked.  
Germans are bringing new forces and  
attempting flanking movements.

Turkish armies in Turkish Armenia,  
along the Black sea, and in northwest-  
ern Persia, have suffered further de-  
feats.

It is reported in Rome that Austria  
has refused to discuss the cessation of  
hostilities to Italy and is willing to yield  
only a small part of the province of  
Trent. Italy, it is said, has completed  
military preparations "for any event-  
uality."

Bombardment of the Dardanelles  
was renewed Wednesday and Thurs-  
day. The allies, however, do not claim  
any more important forts have been  
reduced. Bombardments this week  
were hampered by unfavorable weath-  
er. Plans are going forward for ex-  
tensive land operations when the time  
comes, and France today is concen-  
trating forces in North Africa for this  
purpose. Part of this land expedition  
already is on the way.

There is considerable speculation in  
England as to what has happened to  
the Serbian army, concerning which  
nothing has been heard in a week. Dis-  
ease is rampant in Serbia, according  
to news dispatches, one of which  
describes this sinister attack as far  
worse than Austrian invasion.

Paris, March 12.—Official: "British  
troops continue to progress. At the  
end of yesterday they had reached a  
road known as the Highway to Hell,  
which runs towards Aubers. A thou-  
sand prisoners were captured during  
the day."

Berlin, March 12.—Official: "British  
in the vicinity of Neuve Chapelle are  
showing great aerial activity. Day be-  
fore yesterday one and yesterday two  
British aviators were brought down by  
German fire. Our movement for the  
recapture of Neuve Chapelle began  
successfully, but thereafter encounter-  
ed a British force and was not con-  
tinued. In Champagne isolated French  
attacks were repulsed, the enemy los-  
ing heavily. Two hundred prisoners  
were taken. Russians have retreated  
from the Augustowo district and the  
country northeast, until now they are  
beyond the river Bobr under guns of  
Grono. Northeast of Przasnysz a  
Russian attack was repulsed."

## Man Had \$141,000 on Him.

Miami, Fla., March 12.—J. C. Ham-  
mer, said by the authorities to be a  
resident of St. Louis, was found in a  
dazed condition on the streets here  
yesterday by the police and is being  
detained pending investigation as to  
his sanity. On his person were found  
bonds valued at \$100,000, rare coins  
estimated to be worth \$40,000, and  
\$1,000 in cash.